

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

BILLY W. BURNETTE,

Plaintiff,

VS.

No. 06-1197-T-An

HAYWOOD COUNTY BOARD OF EDUCATION,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION ON DEFENDANT'S
MOTION TO EXTEND TEMPORARY RESTRAINING ORDER
AND FOR A PRELIMINARY INJUNCTION

Defendant filed a motion for a temporary restraining order and/or preliminary injunction. The matter was referred to Magistrate Judge S. Thomas Anderson for a report and recommendation. On August 1, 2007, Magistrate Judge Anderson issued his report, recommending that a temporary restraining order issue until the hearing to determine if a preliminary injunction should issue. The court adopted the report and recommendation on that same date because there was evidence that Plaintiff might present an immediate and irreparable danger to Superintendent George Chapman and other employees of the Haywood County School System.

The hearing was held on August 10, 2007. On August 31, 2007, Magistrate Judge Anderson issued a report and recommendation that the temporary restraining order be

dissolved and that the motion for a preliminary injunction be denied. Magistrate Judge Anderson determined that Defendant had not presented sufficient evidence that it would suffer irreparable harm if Plaintiff was not restrained from coming into contact with Defendant's property or employees because the threat of harm appeared to have passed.

Defendant has not filed any objections to the report and recommendation. Consequently, the report and recommendation [DE# 52] is ADOPTED in its entirety. The temporary restraining order previously entered is hereby DISSOLVED, and the motion for a preliminary injunction [DE# 35] is DENIED.

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE